

WOLLONGONG WHALES WINTER SWIMMING CLUB CONSTITUTION



1) NAME

The name of the Club shall be the Wollongong Whales Winter Swimming Club. In this Constitution, the word "Club" or the word "Whales" shall mean the Wollongong Whales Winter Swimming Club, the word "Committee" shall mean the duly elected Committee in Office of the Wollongong Whales Winter Swimming Club and the word "Season" shall mean the declared Winter Swimming Season as determined by the Committee.

2) OBJECTS

- a) To encourage winter swimming.
- b) To promote the physical and social well being of its members.
- c) Wherever possible to render assistance to charities and those in need.
- d) To seek and effect affiliation with South Coast, New South Wales and Australian Winter Swimming groups.

3) EMBLEMS

- a) The Club colours shall be black and gold.
- b) Club caps shall be black and gold.
- c) The Club badge shall be as shown (at the head of this page).

4) MEMBERSHIP

- a) The Club shall consist of Provisional, Active, Long Service, Country, Honorary and Life Members. A Provisional, Active, Long Service or Country Member shall be required to pay and who has paid (or for whom has been paid) an annual Membership Fee for the current Season shall be termed as Financial for that Season. Any such Member being required to pay and who has not paid the Membership Fee shall be termed Un-financial.
- b) Every candidate for membership shall be a minimum eighteen years of age and shall be proposed by one Member and seconded by another, to both of whom he must be personally known. Every proposal for membership shall be in writing on the Club's official nomination form and shall be subject to acceptance by the Committee at the next Meeting of the Committee. Following nomination and conditional upon subsequent Committee acceptance, a new Member shall be a Provisional Member until such time as he has competed in events on three separate Sunday swims and has become a Financial Member of the club in the same Season, when he shall become an Active Member. When a Provisional Member becomes an Active Member he shall be so identified by announcement. Any Provisional Member who fails to achieve Active Membership within the one Season shall not become an Active Member

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until this full requirement has been met subsequently within one Season.

- c) An Active Member shall be expected to swim in at least two races (on separate days) in each month during the Season. An Active Member failing to comply with this Rule without reasonable excuse may be called upon by the Committee to show reason why his membership should not be terminated. Any person, whose membership is terminated in this manner during any Season, shall be at liberty to re-apply for membership in the proper manner during that same Season or any subsequent Season.
- d) A Long Service Member shall be a Member who has completed ten years or more as an active member, and shall be exempted from the requirements of Active Membership.
- e) A Country Member shall be a member who resides outside the limits of the City of Greater Wollongong, and shall also be exempted from the requirements of Active Membership.
- f) Honorary Members shall be drawn from the following classifications only: Aldermen or senior officers of the Council of the City of Greater Wollongong, Federal or State Members of Parliament, executive officers of Surf Life Saving Clubs or kindred winter swimming groups, or executives of other Clubs, business houses, or private individuals who render special services to the Club. Honorary Members shall be elected by the Club at an Annual or Special General Meeting, or by the Committee. In the event of Honorary Membership being conferred it shall be for a maximum period of one year.
- g) Life Membership shall be reserved for an Active or Long Service Member who has rendered extraordinary service to the Club over a suitable period of time, and by whose efforts alone the Club has prospered. Life Membership shall only be awarded by nomination and subsequent election by a resolution carried by at least three fourths of the Members present and voting at a General Meeting of the Club. A nomination for Life Membership shall be submitted as detailed elsewhere in this Constitution. A Life Member upon election shall receive the gold Life Membership Badge. A Life Member shall be exempt from the payment of an annual Membership Fee, and also exempt from the requirements of Active Membership. Further, a Life Member shall retain all rights and privileges of an Active Financial Member.

5) LIFE MEMBERSHIP NOMINATION

Any nomination for Life Membership shall be limited to an Active or Long Service Member who is a Financial Member of the club. The nominated member shall have a minimum record of membership with the club of one of the following:

- a) Active Membership of a minimum twenty (20) years, including service of a minimum of five (5) years as a Committee Member in an active working capacity.
- b) Active Membership of a minimum thirty (30) years including demonstrated ambassadorship for the Club and its endeavours.

Any nomination for Life Membership of the Club shall be submitted by one of the following means:

- c) The nomination shall be submitted in writing to the Committee, for consideration by members at an Annual General Meeting, a minimum fourteen (14) days prior to such meeting. Any such nomination shall be supported by written name and signature of: a proposer, a seconder and

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the support of seven (7) further Members of the club. All such nominating Members shall be Active, Long Service, Country or Life Members and also Financial at the date of proposal through to the respective Annual General Meeting.

- d) The nomination shall be made in writing and submitted to the Committee by a single Member of the club for approval by the Committee for further submission to the Members for consideration at an Annual General meeting, a minimum thirty (30) days prior to such meeting. Any such nomination shall be made with written name and signature of the nominating Member. Any such nominating Member shall be Active, Long Service, Country or Life Member and also Financial at the date of nomination through to the respective Annual General Meeting.

6) CLUBMAN OF THE YEAR

A Clubman of the Year may be declared at an Annual Dinner to a Member who has rendered extraordinary service to the Club during that current year, beyond called duty. A Clubman of the Year award may or may not be declared in any year. As to whether this award shall be declared or not in a particular year, and if so declared, the Clubman to receive the award shall be determined by the President, only after broad consultation and consideration of the views of other Members, including but not limited to: Vice President, other Members of the Executive and Committeemen.

7) MANAGEMENT

- a) The management of the Club shall be deputed to a Committee, consisting of the following officers: President, Vice President, Secretary, Treasurer, Captain, Vice Captain, Registrar, Social Secretary, Publicity Officer, Handicapper, Assistant Handicapper, Chief Judge, Chief Timekeeper, Gear Steward, Delegates and Committeemen.
- b) At the Annual General Meeting, all Committee Members shall retire, but shall be eligible for re-election.
- c) To be eligible for election to a position on the Committee, a nominee must be a Financial Member or a Life Member of the Club.
- d) Any two Members of the Club shall be at liberty to nominate any other Member to serve as a Committee Member.
- e) Method of Election: The name of each member as nominated, together with the names of his proposer and seconder shall be forwarded to the Honorary Secretary in writing at least fourteen (14) days prior to the Annual General Meeting. Should there be an insufficient number of nominations, the vacancy or vacancies shall be filled by verbal nominations taken at the Annual General Meeting. If found necessary due to lack of nominations, the Committee shall be at liberty to combine any offices that it feels may be efficiently carried out by one or more Members. The outgoing Committee shall appoint two scrutineers who shall conduct a secret ballot for every position that is to be contested. The validity of any vote in any such ballot shall be as determined by the nominated scrutineers. If two or more candidates receive an equal number of votes, the successful candidate shall be decided by lot. Candidates elected shall hold office until the next ensuing Annual General Meeting.
- f) Further Officers (non-committee) shall also be elected at the Annual General Meeting. They are: Patron, Trustees, Judges, Starter, Honorary Auditor.
- g) Any casual vacancy occurring on the Committee or in other offices shall be filled by the Committee at its discretion.

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8) POWERS AND DUTIES OF THE COMMITTEE

- a) The Committee shall have power to make, alter and repeal the Swimming Regulations, the affairs and conduct of the Club provided that the same are not inconsistent with this Constitution.
- b) The Committee shall have power to make, alter and repeal the Constitution, but no such alteration shall take effect until same has been confirmed by a majority of not less than three fourths of the Members present and voting at an Annual General or Special General Meeting of the Club.
- c) The Committee shall have power to reprimand, suspend, accept the resignation of, or expel any Member who shall infringe any Rule of the Constitution or against whom any complaint has been laid, or whose conduct, in the opinion of the Committee renders him unfit for Membership. No Member shall be reprimanded, suspended or expelled without first being called before the Committee, and notified of the substance of the charge or complaint, and further that his attendance is required, and that if he fails to attend, the charge or complaint shall be heard in his absence, notwithstanding, to decide on the evidence before it. Any decision of the Committee on such hearing shall be final. Any Member expelled or suspended by the Committee shall have the right to appeal to a Special General Meeting of members, provided that such appeal is lodged with the Honorary Secretary within fourteen days and supported by the signatures of twenty members requesting a Special General Meeting
- d) The Committee shall have power to accept or reject any nomination for Membership without furnishing reason.
- e) The Committee shall have power to declare by resolution at any time that the Club Membership shall not exceed a number fixed by it.
- f) Generally, the Committee shall manage, control and superintend the business and affairs of the Club in accordance with the Constitution of the Club.

9) FINANCE

- a) The financial Year for the Club shall be from 1st December through to 30th November of the next year for any one Season.
- b) The funds of the Club shall be under the absolute control of the Management Committee. The Honorary Treasurer shall collect all money and issue receipts for the same. Such money shall be deposited at least weekly in an account or accounts in such banks or other institution, as the Committee shall from time to time determine.
- c) The Honorary Treasurer shall keep correct records of account showing the financial affairs of the Club, and shall deliver a financial statement to the Committee each month, or at any other time when directed so to do by the Committee. All records of account must be available on demand for inspection by the Committee or by any person authorised by the Committee.
- d) Club bank accounts shall be operated by any two of the following: Secretary, Treasurer and President, or, in the case of combined offices, any two of the following: President, and two other authorised persons, who shall be at least partly responsible for the performance of the duties of Secretary or Treasurer.

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10) MEETINGS OF THE COMMITTEE

- a) The Committee shall meet for ordinary meetings once in each calendar month during the Season, on a set day and time at a set place, which shall each be determined by the Committee in Office at the time.
- b) Special Meetings may be called at any time it is deemed necessary by the President, Honorary Secretary, or four Members of the Committee.
- c) At any meeting of the Committee, seven shall form a quorum.
- d) In the case of equality of votes, the Chairman shall have a casting vote in addition to his deliberative vote as a Member of the Committee.
- e) At Ordinary or Special Meetings of the Committee, if a quorum is not present within 30 minutes of the appointed time, such meeting may be adjourned to a date decided by those present, and notice of such adjourned meeting shall be sent to all Members of the Committee.
- f) No resolution passed by the Committee shall be rescinded or altered unless notice of motion in writing signed by three members of the Committee has been given at a previous meeting.
- g) At any meeting of the Committee, floor members of the Club shall be entitled to attend, and may speak once only on any subject, but shall not be entitled to vote on any resolution, provided that the Committee shall have power at any time during any meeting to declare the proceedings to be "in camera", whereupon any floor members present shall be required to leave the meeting.

11) GENERAL MEETINGS

- a) The Annual General Meeting of the Club shall be held on the Sunday of the last Club swim, following the completion of all swimming events. Notice of such meeting shall be posted on the Clubhouse noticeboard at least fourteen days prior to the date fixed for the Meeting. The business at such Meeting shall be the consideration of the Annual Report, the election of Officers and Committee, and such other business as may be specified on the notice convening the meeting.
- b) Special General Meetings of Members may be called by the President at any time, and shall be called by the Honorary Secretary on receiving a written application signed by not less than twenty members, stating the specific objective for which the meeting is to be called. The Honorary Secretary shall give at least seven clear days notice of such Special General Meeting.
- c) The quorum at all General and Special General Meetings of the Club shall be twenty.
- d) Only Active, Long Service and Country Members who are Financial and who are present and Life Members who are present shall be entitled to participate in or vote on any matter, proceedings or ballot during a General Meeting. Anyone not meeting this criterion shall be excluded from voting or participating on such occasions. During any ballot of the Members a maximum of one valid vote per Member shall be accepted.

12) FEES

- a) An Annual Membership Fee shall be payable by Provisional, Active, Long Service and Country Members. The amount of the Annual Membership Fee shall be as the Committee shall from time to time determine.
- b) The Annual Membership Fee shall be payable no later than the Member's third swim of a Season. Any member failing to pay his Annual Membership Fee by this swim shall be notified of such omission. If the fee is not paid when the member next swims following this notification,

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his name shall be removed from the register, and he shall cease to be a Member, provided the Committee may, if special circumstances exist, extend such period.

13) INDEMNITY OF OFFICERS

The Officers of the Club who may by authority of the Committee accept or incur any pecuniary liability on behalf of the Club shall be held indemnified by the Club against any personal loss in respect of such liability.

14) RESOLUTIONS

All resolutions passed at Meetings of the Club shall be conclusive and binding on all Members of the Club, whether they shall be present at such meetings or not, provided that such Meetings are held in conformity with this Constitution.

15) PAYMENT OF MEMBERSHIP FEE

The payment of annual Membership Fee implies, and shall be considered to imply a member's acquiescence in this Constitution.

16) INTERPRETATION OF CONSTITUTION

The Committee shall be the sole authority for the interpretation of this Constitution and of By-Laws and Regulations made hereunder, and for settling any disputes relating to the affairs of the Club. The decision of the Committee upon any question of interpretation or upon any matter affecting the Club, and not provided for by the Constitution, or by the By-Laws and Regulations made hereunder shall be final and binding on all members.

17) LEAVE OF ABSENCE

Upon application made to it in writing by a Member, the Committee may grant to such Member extended leave of absence for such period as the Committee in its discretion sees fit.

18) CONSTITUTION MAY BE ALTERED

This Constitution may be altered, varied or amended at a duly convened General Meeting, after due notice of motion has been given.

19) RULES OF DEBATE

Proceedings at all meetings of the Club shall, except where inconsistent with these Rules, be in accordance with Parliamentary Procedure so far as the same is applicable to such meetings.